BEFORE: VIKTOR V. POHORELSKY DATE: 8/12/10

U.S. MAGISTRATE JUDGE START TIME: 2:00 p.m. END TIME: 2:15 p.m.

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DOCKET NO. <u>CV-08-2457</u> JUDGE: <u>FB</u>

CASE NAME: <u>SEC v. Cioffi, et al.</u>

CIVIL CONFERENCE

PURPOSE OF CONFERENCE: <u>Telephone Status</u>

APPEARANCES: Plaintiff <u>Erica Williams, Brian Sano</u>

Defendants Marc Weinstein (Cioffi); Nina Beattie (Tannin)

Other Attendee Kristen Giannone

SCHEDULING AND RULINGS:

- 1. The parties have not commenced depositions as yet, as they were involved in recently resolved motion practice regarding the participation of one of the attorneys for the plaintiff as counsel in this action. That issue having been resolved, the plaintiff has now provided a revised witness list to the defendants which has reduced the number of potential witnesses who will be deposed by the plaintiff to twenty or less. Coupled with the few witnesses the defendants will be deposing, the parties still have ample time to complete factual discovery by the February 4, 2011 deadline. If substantial progress has not been made by the next conference, however, the court will require the preparation of a detailed schedule for the completion of all depositions by the deadline.
- 2. The next conference will be held by telephone on **Friday, November 12, 2010 at 3:00 p.m.**, to be initiated by counsel for the plaintiff (Chambers: 718-613-2400).